IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 1841 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

None for the petitioner.

Mrs. M.M. Deshmukh, A.P.P. for the respondents.

CORAM : S.C. DHARMADHIKARI, J.
DATE : 1ST SEPTEMBER, 2006

P.C.

. This matter was placed before this Court on 18th December, 2003, when notice before admission was issued returnable on 27th January, 2004.

2. The matter thereafter appeared before this Court on 22nd July, 2004, but none appeared for the petitioner. Therefore, it was dismissed for default.

Secondly, an application was made for restoration being Criminal Application No. 3821/2004. That was granted on 31st July, 2006 and the matter was to appear on 7th August, 2006 for admission.

3. The matter appeared and was adjourned for one week on 14th August, 2006. On 23rd August, 2006 when it again appeared, none appeared for the petitioner but time was sought by A.P.P. to produce medical certificate. The matter appeared on 25th August, 2006 and was adjourned to 1st September, 2006 i.e. today.

4. When this matter was called out today, again none is present for the petitioner. In such circumstances and when the petitioner is not interested in prosecuting the petition, so also the order being inter-locutary in nature, there is no case made out for interference either under Article 227 of

Constitution of India nor a case is made out to invoke the power of Court under section 482 of Code of Criminal Procedure.

5. Application is dismissed.

(S.C. DHARMADHIKARI, J.)